

FISCAL NOTE

HB 3614 - SB 3751

March 28, 2006

SUMMARY OF BILL: Specifies that any municipality that derives 20% of its total expenditures, less capital expenditures and debt service, from revenue generated by traffic citations is abusing its police powers. Specifies that any municipality with over 50% of traffic citations from violators exceeding the speed limit by less than 10 miles per hour is abusing its police powers. Authorizes the TBI to investigate such abuses and refer any municipality abusing police powers to the appropriate district attorney general. Any municipal official or employee intentionally refusing or failing to cooperate with an investigation of abuse of police powers will be subject to a Class A misdemeanor penalty. Provides penalties for municipalities abusing such power.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures – Not Significant
Increase Local Govt. Revenues – Not Significant

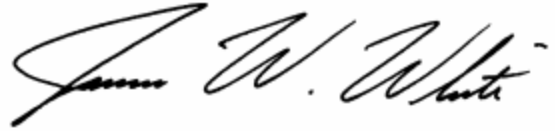
Other Fiscal Impact – If a local government is found to be abusing its police powers and a chancery court, upon petition of the district attorney general, chooses to require a municipality to cease patrolling affected roadways, there could be a significant decrease in local government revenues and expenditures resulting from the lack of traffic patrol operations. If the DA chooses to require the municipality to pay a fixed percentage of future fines and costs arising from traffic citations over to the local education agency, there will be a shift of funds within the local government.

Assumption:

- There will not be a sufficient number of Class A misdemeanor convictions for local governments to experience any significant increase in revenues or expenditures.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director